

labs, tests, nurses' orders, records, dictation and vital signs.

25. (Amended) [The] A method of medical language generation from data, comprising storing sentences and phrases related to medical data in peripheral CPU's, inputting patient data, transferring patient data to file servers connected to the peripheral CPU's and tabling patient data, transferring the tabled patient data to the CPU's and compiling sentences and paragraphs in the CPU's from the stored sentences and phrases and the patient data, whereby stored medical facts are converted into sentence structure.

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#### REMARKS

Reconsideration and allowance are respectfully requested.

The above amendments address the 35 U.S.C. 101 issues on pages 2-3 of the office action. The rejection under 35 U.S.C. 112, second paragraph is not understood since the Examiner does not point out what language in each of claims 7-14 renders the claims "indefinite." Clarification is respectfully requested.

Claims 7-36 are patentable over 35 U.S.C. 102. While the rejection is based positively on 102(a) the paragraph relied on is 35 U.S.C. 102(b). Applicant understands the former (102(a)) may be a typographical error and therefore addresses the rejections as if based on 35 U.S.C. 102(b), since the office action recites that paragraph on page 3, numbered paragraph 3.

The Examiner's attention is kindly drawn to the publication date of the Kameda reference, which is July 16, 1997. However,

the priority date of the present application, July 8, 1996, predates that of the reference. 35 U.S.C. 102(b) provides that the invention be patented or be described in a printed publication in this or a foreign country "more than one year prior to the date of application for patent" in the U.S. Thus, Kameda is not available as a reference. Also, Kameda cannot be combined with any other reference for any 35 U.S.C. 102 rejection.

The Examiner's indication of the entire series of documents entitled "The Medical Manager" (TMM) as being "documentated-- Copyright 1982--" is in error. While the copies of particular pages provided by the Examiner do not have any indication that each and every page was copyrighted in 1982, the documents relating to the 15th Annual National Sales and Technical Training Seminar, dubbed by the Examiner as "15TS...", clearly indicate the publication date to be "1998" (see chapter 1, The Enhanced Medical Manager 1998) (emphasis supplied). It should therefore follow that the subsequent chapters and the entire 15th Annual proceedings are from 1998 and not 1982 as indicated by the Examiner.

Also, Applicant requests the Examiner to kindly examine each screen print-out on respective pages of the documents provided by the Examiner to the Applicant. It is obvious from each of the screens that most of them were generated on April 14, 1997. The few exceptions include the dates November 3, 1996 or November 4, 1996, while the rest of the screen generation dates relate to

1998. All those dates are after the priority date of the present invention. Applicant understands those dates did genuinely originate on the wordprocessor screens that have been generated to define the system. However, Applicant fails to understand how a "1982" copyright could have sample screens generated in 1996/1997/1998 to define the reference system. Applicant respectfully requests the Examiner to kindly clarify this anomaly.

In any case, the entire TMM system does not describe or teach each and every element of the present claims nor by inherency anticipate the invention within the four corners of the reference system.

The present claims uniquely describe a system that was not capable of implementation in 1982, as contended by the Examiner, due to lack of availability of infrastructure to implement the system. The TMM system relates to medical data entry that does not relate to the claimed invention.

Amended claim 7 relates to a method of patient record documentation, tracking and order entry, comprising providing a central server, connecting at least one communication server to the central server, connecting a network of peripheral terminals to the central server, connecting peripheral central processing units to the server, logging on to a peripheral CPU, displaying the user's name and the active patient list "grease board", and showing room location, patient's name, patient's physician, nursing orders, patient priority and elapsed time of stay, and

status of assignment of nurse and physician, ordering of X-rays, labs, tests, nurses' orders, records, dictation and vital signs. The TMM system fails to describe or teach all those claimed elements.

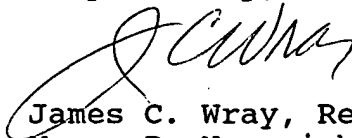
Claim 23 describes a method of video instruction on demand, comprising storing prepared video patient instructions in a file server, preselecting the video instructions according to complaint, sex, age, prescriptions and procedures, selecting video instructions from preselected video instructions and displaying the selected instructions, whereby video patient instructions can be provided on the screen of any terminal CPU to instruct patients in the proper care of and information about medical conditions. All of those features are not taught or described in the TMM system.

Amended claim 25 describes a method of medical language generation from data, comprising storing sentences and phrases related to medical data in peripheral CPU's, inputting patient data, transferring patient data to file servers connected to the peripheral CPU's and tabling patient data, transferring the tabled patient data to the CPU's and compiling sentences and paragraphs in the CPU's from the stored sentences and phrases and the patient data, whereby stored medical facts are converted into sentence structure, which is not taught or suggested by the reference.

Since Applicant has presented a novel, unique and non-obvious system, and since the prior art does not anticipate the

claimed invention, reconsideration and allowance are respectfully requested. Applicant respectfully requests an Interview with the Examiner to resolve any issues that may remain. A call from the Examiner to set up a mutually agreeable date will be greatly appreciated.

Respectfully,



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